

**IV. AMENDMENTS TO THE DRAWINGS**

- THE DRAWINGS OF THE PATENT APPLICATION ARE HEREBY AMENDED AS SET FORTH BELOW:
  - *No Amendment is made to the drawings*
  - *Attachments: None*

**V. REMARKS AND ARGUMENTS**

• STATUS OF THE CLAIMS

Claims 1, 4, 7, 10, 13, 14, 19 and 20 are pending in this application. Claims 1, 7 and 10 have been amended. No new matter has been added.

• REJECTIONS

○ REJECTION UNDER 35 U.S.C § 112

The Examiner has rejected claims 1, 4, 7, 10, 13, 14, 19 and 20 under 35 U.S.C. § 112, Second Paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which the Applicants regard as their invention.

Specifically the Examiner has objected because “claim 1 recites the broad recitation of particulate units 1 micrometer to 3 centimeters and the claim also recites the nanoscale range for the same particulate unites which is the narrower statement of the range/limitation.”

The Applicants have amended the claims which now recite that the particulate units are “of a size ranging from 1 µm to 3 cm and which comprise a ragged edge component having a dimension in the nanoscale range.” The particulate units are of a specific range and a component of the particulate units is of another range. Therefore, the claims do not claim two different ranges for the same elements.

Applicants respectfully submit that the above mentioned claim amendments, in conjunction with the Applicants explanation and arguments, remove the grounds for any rejection of the claims as they now stand under 35 U.S.C. § 112.

○ REJECTION UNDER 35 U.S.C § 102(b)

Claims 1, 4, 7, 10, 13, 14, 19 and 20 stand rejected under 35 U.S.C. § 102 (b) as being anticipated by Geiser '448 ("Geiser").

▪ *Independent Claim 1*

Claim 1 as amended is directed to a reusable sorbing coalescing agent

for facilitating the separation of a non-aqueous phase from an aqueous phase consisting of a ragged-edge particulate reusable material having substantially small uniform sized particulate units, wherein the particulate reusable material includes particulate units of a size ranging from 1  $\mu$ m to 3 cm, and which comprise a ragged edge component having a dimension in the nanoscale range, and wherein said raged edge component comprises outwardly extending filaments.

In order for a reference to anticipate this claim, the recited language and its combination in the recited compound must be taught by the prior art. The undersigned respectfully submits that the cited references do not teach the emphasized language and cannot possibly teach or even suggest the recited compound.

Applicants point out that the claims as they are now amended include elements and features not taught or disclosed by any of the cited references. Specifically, claim 1 now recites that the particulate units which "comprise a ragged edge component having a dimension in the nanoscale range" and which have "outwardly extending filaments."

The cited reference does not teach or disclose each of the elements and features of amended claim 1. As such Applicant's submit that claim 1 is patentable over the cited reference and request that claim 1 be passed to issuance without delay.

▪ *Dependent Claims 4, 7, 10, 13, 14, 19 and 20*

Each of claims 4, 7, 10, 13, 14, 19 and 20 depend, either directly or indirectly, from claim 1. As claim 1 has been shown to be patentable over the cited art, each claim that depends from patentable claim 1 is likewise patentable over the cited art. At least for this reason the Applicants submit that claims 4, 7, 10, 13, 14, 19 and 20 are patentable and should be passed to issuance without delay.

• CONCLUSION TO REMARKS

Applicants have addressed and successfully responded to each rejection made by the Examiner and have made a bona fide attempt to advance prosecution in this application. In light of the amendments and arguments made in the Response the Applicants respectfully submit that each and every rejection has been overcome or rendered moot such that the claims are now in condition for allowance.

Should the Examiner have any questions about this Response, the claim amendments, or the arguments put forth herein, Applicants request that the Examiner telephone the undersigned attorney in an effort to further advance and efficiently prosecute this application towards issuance.

Respectfully Submitted,

Dated: July 28, 2007

/alm/

Anthony L. Meola, Esq.  
Registration No. 44,936  
Attorney for Applicants  
66 Indian Wells Road  
Brewster, New York 10509

**VI. APPENDIX**

- *None*